

**28542. Adulteration and misbranding of imitation lemon flavoring. U. S. v. 22 Bottles of Imitation Lemon Flavoring, et al. Default decree of condemnation and destruction. (F. & D. No. 41538. Sample No. 511-D.)**

This product contained about 5 percent of carbitol, a commercial solvent composed of a glycol or a glycol ether, or both, poisons.

On January 25, 1938, the United States attorney for the Eastern District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 430 4-ounce bottles and 433 8-ounce bottles of imitation lemon flavoring at Yakima, Wash., alleging that the article had been shipped in interstate commerce on or about September 4, 1937, from Oakland, Calif., by General Food Products Co., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Westag Imitation Lemon Flavoring \* \* \* Distributed by General Food Products Co. Oakland—Calif."

The article was alleged to be adulterated in that a product containing a glycol or a glycol ether, or both, poisons, had been substituted in whole or in part for imitation lemon flavoring, which it purported to be.

Misbranding was alleged in that the statement "Imitation Lemon Flavoring" was false and misleading and tended to deceive and mislead the purchaser when applied to an article containing a glycol or a glycol ether, or both, poisons; and in that it was offered for sale under the distinctive name of another article.

On March 5, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

**28543. Adulteration and misbranding of imitation lemon flavor. U. S. v. 140 Bottles of Flavoring Extract. Default decree of condemnation and destruction. (F. & D. No. 41281. Sample No. 50592-C.)**

This product contained a glycol or a glycol ether, or both, poisons, and was short in volume.

On December 30, 1937, the United States attorney for the Western District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 140 bottles of imitation lemon flavor at Jonesville, La., alleging that the article had been shipped in interstate commerce on or about May 25 and December 11, 1937, from Natchez, Miss., by the Interstate Coffee Co., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Tasty Brand \* \* \* Interstate Coffee Co. \* \* \* Natchez, Miss."

It was alleged to be adulterated in that a product containing a glycol or a glycol ether, or both, poisons, had been substituted in whole or in part for imitation lemon flavoring extract, which the article purported to be; and in that it contained an added poisonous or deleterious ingredient, a glycol or a glycol ether, or both, which might have rendered it injurious to health.

Misbranding was alleged in that the statements borne on the labels, "Flavoring Extract Imitation Lemon" and "Contents 4 Fluid Ozs.," were false and misleading and tended to deceive and mislead the purchaser when applied to an article containing a glycol or a glycol ether, or both, poisons, and which was short in volume; in that it was offered for sale under the distinctive name of another article; and in that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the quantity stated was not correct.

On January 24, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

**28544. Adulteration and misbranding of imitation flavors. U. S. v. 2 Bottles of Imitation Butter Flavor, et al. Default decrees of condemnation and destruction. (F. & D. Nos. 41315, 41433. Sample Nos. 46668-C, 54377-C to 54382, incl.)**

These products contained from 72 to 87 percent of carbitol, a commercial solvent composed of a glycol or a glycol ether, or both, poisons.

On January 4, 1938, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of two bottles of imitation butter flavors at Pittsburgh, Pa. On January 17, 1938, a libel was filed against six bottles of imitation fruit flavors at Atlanta, Ga. The libels

alleged that the articles had been shipped in interstate commerce on various dates between September 20 and October 29, 1937, from New York, N. Y., by George Lueders & Co., and charged adulteration and misbranding in violation of the Food and Drugs Act. The articles were labeled in part, "George Lueders & Co."

They were alleged to be adulterated in that products containing a poisonous substance, a glycol or a glycol ether, or both, had been substituted in whole or in part for fruit flavors and butter flavor, which they purported to be; and in that they contained an added poisonous or deleterious ingredient, a glycol or a glycol ether, or both, which might have rendered them injurious to health.

Misbranding was alleged in that the statements borne on the labels, "Concentrated Essence of Banana [or "Grape," "Strawberry," "Raspberry," "Cherry," or "Pineapple"] Imitation," and "Butter Flavor Imitation," were false and misleading and tended to deceive and mislead the purchaser when applied to articles containing a glycol or a glycol ether, or both, poisons; and in that the articles were offered for sale under the distinctive names of other articles, food flavors.

On February 3 and 14, 1938, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

**28545. Adulteration and misbranding of imitation butter flavor. U. S. v. 1 Gallon Bottle of Imitation Butter Flavor, et al. Default decree of condemnation and destruction. (F. & D. No. 41073. Sample No. 48461-C.)**

This product contained about 80 percent of diethylene glycol, a poison.

On December 13, 1937, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1½ gallons of imitation butter flavor at Washington, D. C., alleging that the article had been shipped in interstate commerce on or about October 30, 1937, from Baltimore, Md., by C. M. Pitt & Sons Co., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Imitation Butter Flavor No. 7 \* \* \* C. M. Pitt & Sons Co. \* \* \* Baltimore, Md."

It was alleged to be adulterated in that a product containing diethylene glycol, a poison, had been substituted in whole or in part for imitation butter flavor, which it purported to be; and in that it contained an added poisonous or deleterious ingredient, diethylene glycol, which might have rendered it injurious to health.

Misbranding was alleged in that the statement "Imitation Butter Flavor" was false and misleading and tended to deceive and mislead the purchaser when applied to an article containing diethylene glycol, a poison.

On February 15, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

**28546. Adulteration and misbranding of assorted flavors. U. S. v. 149 Bottles of Assorted Flavors. Default decree of condemnation and destruction. (F. & D. No. 41430. Sample No. 7863-D.)**

These products contained an average of about 5 percent of carbitol, a commercial solvent composed of a glycol or a glycol ether, or both, poisons.

On January 14, 1938, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 149 bottles of assorted flavors at Passaic, N. J., alleging that the articles had been shipped in interstate commerce on or about August 6 and November 17, 1937, from New York, N. Y., by Viniculture & Ditte Riunite, and charging adulteration and misbranding in violation of the Food and Drugs Act. The articles were labeled in part: "Harlem Flavoring Co. [or "Viniculture Co."] New York."

The articles were alleged to be adulterated in that products containing a glycol or a glycol ether, or both, poisons, had been substituted in whole or in part for food flavors, which they purported to be.

Misbranding was alleged in that the designations of the various flavors, Arancio, or Latte di Vecchia, Holland Gin, Brandy, Caffè Sport, Rye, Strega, Verdolino, Mescolanza, Marsala, Scotch, Cognac, Cannella, Maraschino, Rum, Rosolio, Crema di cacao, Vermouth, Crema di menta, Benedettino, Mandarino, Anisette, Fragola, or Whiskey, and the statements "For Confectioners Use For Non Alcoholic Beverages [or "Non Alcoholic"]," were false and misleading and